

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

WALTER BECK CORPORATION d/b/a THE RAINBOW INN,)	CIVIL DIVISION
)	
Plaintiff,)	Civil Action No. 04-348 - Erie
vs.)	JUDGE MAURICE B. COHILL, JR.
)	
SAFECO CORPORATION, AMERICAN ECONOMY INSURANCE COMPANY, and AMERICAN STATES INSURANCE COMPANY,)	<u>ELECTRONICALLY FILED</u>
)	
Defendants.)	

MOTION TO COMPEL DISCOVERY

Plaintiff, Walter Beck Corporation d/b/a The Rainbow Inn, by and through its counsel, Meyer, Unkovic & Scott LLP, submits the following Motion to Compel Discovery:

1. On July 8, 2005, Plaintiff served Defendants with Plaintiff Walter Beck Corporation's First Set of Interrogatories and Request for Production of Documents Directed to Defendants ("Discovery Request"), a copy of which is attached hereto as Exhibit A.
2. Having received no response, on August 22, 2005, Plaintiff's counsel faxed the letter attached hereto as Exhibit B to counsel for the Defendants requesting responses to discovery.
3. In response, Defendant's counsel advised and confirmed via e-mail that responses would be provided by September 2, 2005. A copy of the pertinent e-mails are attached hereto as Exhibit C.
4. On September 27, 2005, more than three weeks after the date by which responses were promised and having still receive no responses to the Discovery Request, plaintiff's counsel sent the following e-mail (attached as Exhibit D) to defendants' counsel:

You previously advised that you would have discovery responses (to discovery served on July 8, 2005) to us by no later than September 2, 2005. Please provide responses by Friday. Otherwise, we will file a motion to compel on Monday morning.

5. As of the time of filing of this motion, defendants had not responded to the September 27, 2005 e-mail and had not provided their long overdue response to the Discovery Request.

6. Thus, plaintiff respectfully requests that this Court enter an Order compelling full and complete responses to the Discovery Request on or before October 11, 2005.

WHEREFORE, Plaintiff Walter Beck Corporation d/b/a The Rainbow Inn respectfully requests that this Court enter an Order in the form attached hereto.

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By:



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Dated: October 3, 2005